IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.530 OF 2007
IN
WRIT PETITION NO.1687 OF 2007

Shri Ramakant Pandey. ..Petitioner.

V/s.

The State of Maharashtra & Ors. ..Respondents.

Mr.A.Y.Sakhare, Sr.Counsel a/w Bharat Vaishnawa & A.B.Dubey i/b. Bharat Vaishnawa & Co. for petitioner/in support.

Mr.Pradeep Jadhav, AGP for respondent.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 19, 2007.

P.C. :

1. Having considered the submissions made on behalf of the Petitioner, in my opinion, the relief claimed in this Motion is misplaced. This is so because, so long as the Order passed by the Deputy Registrar is in force and has not been set aside, the question of superseding the present Managing Committee of the Respondent No.5 Society does not arise. It is only upon the finding recorded by this Court, so as to set aside the Order passed by the Deputy Registrar and uphold the stand of the Petitioner that the bond executed by the concerned Respondents was not in accord with the requirement of

law, Consequential order can be passed against the Respondent No.5 society and in particular the concerned elected members of the Managing Committee.

2. If the Petitioner has any other grievance, will be free to make representation to the appropriate authority, which will be considered on its own merits in accordance with the law.

3. Motion disposed of on the above terms.

(A.M.KHANWILKAR,J)